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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/530,517	08/26/2005	Esko Niemela	43315-216724	5769
26694 7590 08/04/2009				
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WASHINGTON, DC 20043-9998				
EXAMINER				
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ART UNIT		PAPER NUMBER		
3661				
MAIL DATE		DELIVERY MODE		
08/04/2009		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/530,517

**Applicant(s)**

NIEMELA ET AL.

**Examiner**

LIN B. OLSEN

**Art Unit**

3661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on August 26, 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-43 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-43 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 April 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-850)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date \_\_\_\_\_

## **DETAILED ACTION**

### ***Priority***

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Information Disclosure Statement***

The information disclosure statements (IDS) submitted on April 7, 2005 and September 11, 2007 were filed before the mailing date of the first action on the merits. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

### ***Claim Objections***

Claims 14, 17, 19, 25, 34 and 39 are objected to because of the following informalities:

Claim 14 is objected to because it has no punctuation to make it easier to understand. The Examiner suggests a comma be placed after said device, and that the appropriate subject, such as "said control means", be inserted after the comma.

Claim 17 is objected to because of the following informalities: The Examiner suggests that the claim would read more clearly if it said "configured to operate compatible with a standard issued ..." or "operate according to a standard issued..."

Claim 19 is objected to because of the following informalities: There is no verb in the claim so it is not understood what is meant.

Claim 25 is objected to because the lack of punctuation makes it hard to understand. The examiner suggests the phrase "for a web client or a thin client" be enclosed by commas.

The examiner suggests that in claim 34 "till" be replaced by "to".

The examiner suggests that in claim 39, the "and" in "controlling and/or monitoring and a device" should be deleted.

Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 20, 24, 27 and 33-36 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

In claim 20, "the robot control unit" does not have antecedent basis.

In claim 24, neither "in-signals" nor "result signals" have an antecedent basis.

In claim 27, "operational data" does not have antecedent basis.

Claims 33-36 provide for the use of the controller of claim 1 but, since the claim does not set forth any steps involved in the method/process, it is unclear what

method/process applicant is intending to encompass. A claim is indefinite where it merely recites a use without any active, positive steps delimiting how this use is actually practiced.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 1, 6, 12, 21, 31, 33-37, 39 and 43 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 12 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Use of "may" make is it unclear whether control means is configured

Regarding claims 1, 6, 21, 31, 33-37, 39 and 43 the phrase "and/or" renders the claim indefinite because it is unclear whether either one or both of the actions listed are part of the claimed invention.

Claims 1, 8-9, and 43 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claim elements listed below are a means (or step) plus function limitation that invokes 35 U.S.C. 112, sixth paragraph. However, the written description fails to clearly link or associate the disclosed structure, material, or acts to the claimed function such

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that one of ordinary skill in the art would recognize what structure, material, or acts perform the claimed function.

Claim	Means	Para with possible definition	Structure
1	Control Means	16	Configurable Control Loop
8	Computer Program Means	19	Processor
9	Output Means	16	Configurable HW I/O Interface
43	Software Means	Fig 2	Components illustrated
43	Control Means	Fig 1	Configurable I/O block with SW control

In each case, the Examiner has tentatively identified the structure that might be the associated structure, but does not feel these are clearly linked.

Applicant is required to:

- (a) Amend the claim so that the claim limitation will no longer be a means (or step) plus function limitation under 35 U.S.C. 112, sixth paragraph; or
- (b) Amend the written description of the specification such that it clearly links or associates the corresponding structure, material, or acts to the claimed function without introducing any new matter (35 U.S.C. 132(a)); or
- (c) State on the record where the corresponding structure, material, or acts are set forth in the written description of the specification that perform the claimed function. For more information, see 37 CFR 1.75(d) and MPEP §§ 608.01(o) and 2181.

### ***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 33-36 are rejected under 35 U.S.C. 101 because the claimed recitation of a use, without setting forth any steps involved in the process, results in an improper definition of a process, i.e., results in a claim which is not a proper process claim under 35 U.S.C. 101. See for example *Ex parte Dunki*, 153 USPQ 678 (Bd.App. 1967) and *Clinical Products, Ltd. v. Brenner*, 255 F. Supp. 131, 149 USPQ 475 (D.D.C. 1966).

Claim 37 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The Claim fails to define a statutory process. There does not appear to be sufficient structural and functional interrelationships between the computer program and other claimed elements of a computer or processor which permit the computer program's functionality to be realized. For the claim to be statutory there is a requirement that there be a functional interrelationship among the data and the computing processes performed when utilizing the data. A process consisting solely of mathematical operation does not manipulate appropriate subject matter and thus cannot constitute a statutory process. If the material of claim 38 were added to claim 37, it would be statutory.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4, 6-9, 11-14, 16, 21-24, 31, 34-35, 39 and 41 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,232,735 to Baba et al (Baba). Baba is concerned with remote control of a robot and in addition a device (an image processing system) associated with the robot. The examiner considers the image remote control portion (5), image processing unit (6) and those portions of the robot remote control portion (3,4) that handle control codes for the camera to be parts of the control means for the camera (device). Two embodiments are detailed in Baba exemplified by Figures 1 and 9, where the primary difference between these is that the functions of the robot controller and the image controller are integrated to one computer in the second embodiment, which is a common cost-saving move for fully developed systems,

Regarding independent **claim 1, A wireless controller** (5/6 of Fig. 1) **for controlling-and/or monitoring a device** (cameras 55 a, b, and c of Fig. 3) **arranged relative an industrial robot** (4A of Fig. 1), **comprising** (The image processing unit (6) communicates wirelessly to a supervisory system (5 of Fig. 1) through the network and control codes are sent to the cameras (55) associated with the robot (4A)

**wireless communication means including a processor arranged with communication function means for handling wireless communication to and from said device and** (In Fig. 3, the image processing unit (6) has a CPU (47))

**control means for carrying out at least one control function for one or more actuators of said device.** (CPU (11) of the robot control portion sends action codes to the robot, CPU (23) of the remote control portion interprets control codes (downward



arrow from 4A in Fig. 2), for the device to perform control functions such as image selection of the device. Col. 2 line 9-13.)

Regarding **claim 2, The wireless controller according to claim 1, wherein the control means are comprised in part as one or more computer programs executable by means of said processor that handles the wireless communication functions.** ( As shown in Figs. 2 and 3, each processor 11A, 23A,31A and 47A has ROM( 16,28,36 and 52) to hold programs that are executed on the CPU to manipulate among other things image and sound data and control the transmission.(44)- Col. 11 line 36-49)

Regarding **claim 3, The wireless controller according to claim 1, wherein the control means is further arranged to process a signal from at least one sensor arranged with said device.** (The processor 47A processes the signal from the cameras through converter 54 to convert images and sound - Fig. 3 element 54, Col. 11 line 56-61)

Regarding **claim 4, The wireless controller according to claim 1, wherein it comprises a configurable hardware I/O interface.** (Fig. 3 shows interface portions 53 and 46 as well as input device 48 and output device 50 as parts of the image processing unit 6)

Regarding **claim 6, The wireless controller according to claim 1, wherein the control means further comprises program means for receiving and/or storing operational data of said device.** ( CPU 47A of Fig. 3, receives image and sound data from image sound converter 54 and stored it when necessary before sending it to CPU 31A. (col. 11 50-54, col. 12, 38-44))

Regarding **claim 39, A graphical user interface for controlling and/or monitoring and a device arranged relative an industrial robot, wherein a display for operational data of the device is provided by a wireless controller according to claim 1.** (CPU 47A of Fig. 3 includes a display 49 for showing operation data and further for showing data passing between the input and output devices and the CPU. Col. 1 lines 53-56)

Regarding **claim 7, The wireless controller according to claim 6, wherein the wireless controller comprises memory means for storage of operational data.** (Each CPU includes RAM (15, 27, 35, and 51 for storage of changeable data.)

Regarding **claim 8, The wireless controller according to claim 6, wherein the control means further comprises computer program means for processing the operational data of said device.** (Especially CPU 47A of processes image and sound data of the cameras through programs. Similarly, CPU 23A handles the control codes and status information for operating the cameras.)

Regarding **claim 9**, **The wireless controller according to claim 6, wherein the control means further comprises output means for communicating data dependent on the stored operational data to a display means.** (Fig. 3, CPU 31 sends Image to image monitor 39, also can send data to display 33.)

Regarding **claim 11**, **The wireless controller according to claim 9, wherein the output means of the control means is configured to communicate the stored operational data via the wireless communication means.** (Fig. 3, communication between Image remote portions is via wireless represented by communications thru antennas (9, 10) to public communications network.)

Regarding **claim 12**, **The wireless controller according to claim 9, wherein the output means of the control means may be configured to communicate with a supervisory robot control system using a message sent via any of the list of: SMS, a web address, a phone, a second robot control unit.** (The wireless communications (data transmissions cards) send data among the units via phone system)

Regarding **claim 13**, **The wireless controller according to claim 9, wherein the output means of the control means is configured to send a communication to a human operator via any of a list of: SMS, a web address, a network address, a**

**phone, a control unit.** (Each CPU includes an input/output device (12/14 for instance) for interacting with a user. The user at the image remote control portion 5 can request and receive data from the cameras and will receive data through the phone network.)

Regarding **claim 14, The wireless controller according to claim 1, wherein the control means further comprises a control loop for receiving an input signal from a high level control system and generating a control signal to said device dependent on the input signal from the high level control system.** (Regarding the robot remote control portion as the high level control system, it generates control codes for the cameras col. Col. 9, 52-55)

Regarding **claim 16, The wireless controller according to claim 6, wherein the wireless controller comprises additional processor means for receiving and/or storing operational data of said device.** (The control mechanism of Baba includes 4 processors (11A, 23A, 31A and 47A) each able to receive various types of operation data from the cameras.)

Regarding independent **claim 21, A method for wireless control and/or monitoring of a device arranged relative an industrial robot, comprising:**

**sending a wireless signal from a robot control unit to said device mounted on or arranged in conjunction with said robot,**

**receiving the signal by means of a wireless controller arranged mounted on-or in conjunction with said device,**

**processing the wireless signal in a processor of the wireless controller, generating a second control signal in the processor and**

**sending it to said device.** ( The apparatus to provide this functionality is described in Claim1, In Baba 's Summary - Col. 2, lines 1-30 use of this hardware to perform as suggested above is described. The interpretation of the control code is sent to the cameras.)

Regarding **claim 22, The method according to claim 21, further comprising sending the second control signal by means of a hardware I/O interface of the wireless controller.** (See Baba Fig. 3, control code input to image selection portion 57.)

Regarding **claim 23, The method according to claim 21, further comprising storing operational data for said device in a memory means of the wireless controller.** (Fig. 3, memory 51)

Regarding **claim 24, The method according to claim 21, further comprising storing in-signals and result signals sent out in a memory means of the wireless controller.** (All data between the wireless controller and CPU in each case passes through the CPU and hence is stored in memory for a time.)

Regarding **claim 31, The method according to claim 21, further comprising downloading operational information and/or configuration data stored in the wireless controller to a second wireless controller and/or second device neither of which are mounted on the robot.** (Fig. 3, wireless controller 45, sends all data to wireless controller 42 which is not mounted on the robot.)

**Claims 34 and 41** are rejected for incorporating the above errors from the parent claims by dependency.

Regarding **claim 35, Use of a wireless controller according to claim 1 by a human operator to control and/or monitor a device arranged with an industrial robot.** (In Figs. 2 and 3, input device 12, 24, 32, and 48 are described as being for operator input to control the device.)

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims **5, 17-20, 26, 32-33, and 36** are rejected under 35 U.S.C. 103(a) as being unpatentable over Baba as cited in Claim 1.

Regarding **claim 17, The wireless controller according to claim 1, further comprising wireless communication means configured to operate according to a standard compatible issued by the Bluetooth SIG Inc.** (While Baba specifically describes the wireless communications traveling through the public communications network, in order to extend the range of control, there is no reason that the wireless control cards could not use shorter range wireless communications. Indeed, in the

background of the invention, (Col. 1, lines17-23) it mentions prior art devices using infrared and FM technologies. It would have been obvious to one of ordinary skill in the art at the time of the invention to implement Baba's device using a close range wireless technology such as Bluetooth compatible means if the sender and robot were in close proximity to reduce the cost.)

**Regarding claims 18 and 19, The wireless controller according to claim 17, wherein wireless communication functions means comprises protocol stack handling for both incoming and outgoing communications./ handling wireless communication transmitted according to a protocol that emulates a serial line.**

(Although specific use of communication protocol stack handling and serial communications is not mentioned in Baba, these are well known techniques for managing bidirectional communications that would have been obvious to one of ordinary skill in the art at the time of the invention.)

**Regarding claim 20, The wireless controller according to claim 1, further comprising means for providing wireless I/O functions between the robot control unit and said device arranged on or in relative proximity to the industrial robot.**

(Baba Fig. 7 shows interpretation of action code being followed by relay activations to control the robot. Baba is silent on how the control codes for the cameras are interpreted, but it would have been obvious to one of ordinary skill in the art at the time of the invention to follow the same techniques to minimize design time.)



Regarding **claim 33, Use of a device according to claim 1 to control and/or monitor a device arranged with an industrial robot to carry out the operation of any one from the list of: welding, soldering, riveting, painting, gluing, folding plate, bending plate, hemming plate, gripping an object, manipulating an object.** (Since no steps are given the camera device can be used in conjunction to monitor a patient as detailed in col. 29, lines 41-51 with the visual monitoring allowing object manipulation using the robot fingers and arms.)

Regarding **claim 36, Use of a wireless controller according to claim 1 by means of a process running on one or more computers to supervise and/or control a device arranged with an industrial robot.** (While Baba is mostly silent on the software in the four processors of his system, it is inherent that a process was running on each of the systems that accomplished the communications and control of the robot and the cameras.)

Regarding **claim 5, The wireless controller according to claim 4, wherein the hardware input/output means of the wireless controller are integrated in the same unit as said processor.** (Baba does not address the packaging of the input/output means in the text, but in Fig. 11 where both the robot control and device control have been integrated into one package, the input interface portion 716 and output interface portion 713 are shown encompassed in the computer 71. It would have been obvious to

one of ordinary skill in the art at the time of the invention to integrate these functions as the entire control capability was being integrated to reduce cost and space requirements.)

Regarding **claim 26, The method according to claim 21, further comprising providing operational data for a display means.** (In Baba embodiment 2, display 614 of Fig. 10, is used to display all operational data both of robot and image system.)

Regarding **claim 32, The method according to claim 21, further comprising providing wireless I/O functions between the robot control system and the device arranged on or in relative proximity to the industrial robot.** (In Baba Fig. 11, only functions between the robot and the control system are shown, although the eighth aspect of the system includes the image remote control also (Col. 28, line 39 through col. 29, line 51) It would be obvious to extend the I/O functions that are shown between the control system and the robot to encompass the image control functions to keep design simple.)

Claims **10, 25, 27-29 and 40** are rejected under 35 U.S.C. 103(a) as being unpatentable over Baba as applied to claim 1 above, and further in view of U.S. Patent No. 7,127,325 to Nagata et al. (Nagata). Nagata is concerned with remote control and diagnosis of an object like a robot.

Regarding **claim 10 and 40, The wireless controller according to claim 6, wherein the output means for communicating the stored operational data comprises an embedded web server.** ( Baba does not mention using web protocols across the communications network, but in Nagata, where a telephone circuit is used as a communication line, at col. 7, lines 20-23, it mentions using a protocol such as an internet to diagnose the robot. It would have been obvious to one of ordinary skill in the art at the time of the invention to use the Internet of Nagata on the communications network of Baba as substitution of one element for another.

Regarding **claim 25, The method according to claim 21, further comprising processing operational data and providing for a web client or a thin client data comprising any from the list of: signals, results, number of complete cycles, cycle time, statistical information, alarms.** (In the Baba/Nagata combination, the communication line receiving from the web server would need to be a web client, and Baba discloses receiving signals – video images and sounds from the device – Fig. 3 38.)

Regarding **claim 27, The method according to claim 21, further comprising providing diagnostic information based on the operational data.** (In the Baba/Nagata system, it would have been obvious to one of ordinary skill in the art at the time of the invention to use the diagnosis function of Nagata to better monitor the image processing system of Baba to have a higher up-time.)

Regarding **claim 28, The method according to claim 27, further comprising providing the diagnostic information arranged compatible with a web client or a thin client.** (In the Baba/Nagata combination, the communication line receiving from the web server would need to be a web client, and it would have been obvious to one of ordinary skill in the art at the time of the invention to supply the diagnostic information derived by Nagata across that link.)

Regarding **claim 29, The method according to claim 28, further comprising providing the diagnostic information arranged compatible with a web browser or telephone adapted web browser format including from the list of: XML, HTML, WML, WBXML.** (The Examiner takes official notice that BML, HTML, WML and WBXML are all well known formats for communicating between web browsers.)

Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Baba as applied to claim 1 above, and further in view of U.S. Patent No. 5,672,044 to Lemelson (Lemelson). Lemelson is concerned with a robot that is able to change the tool in its effector and further having a camera to focus on the effector, the camera and robot controlled remotely.

Regarding **claim 15, The wireless controller according to claim 14, wherein input/output signals of the control loop of the control means are compatible with a high level language.** (Baba describes controlling the robot and camera from an

interface, although he touches on the control being possible through a program. In Lemelson col. 19, lines 11-34 or 36-67 complex interactions performed by computer are described. While it is not explicitly stated that high-level languages are used, such programs are consistent with their development)

Claim **30** is rejected under 35 U.S.C. 103(a) as being unpatentable over Baba/Nagata as applied to claim 27 above, and further in view of U.S. Patent Pub. No. 2003/0080874 to Yumoto et al. (Yumoto). Yumoto is concerned with a remote control system.

Regarding **claim 30, The method according to claim 27, further comprising providing the diagnostic information arranged compatible with a Java applet.** (Neither Baba nor Nagata mentions Java applets as a means to provide data. However, Yumoto in paragraph 145 details that when a program creates data using a Java Applet, it can be sent to control a remote device. It would have been obvious to one of ordinary skill in the art at the time of the invention to support this capability as using a known technique to improve a similar device yielding predictable results.)

Claims **42 and 43** are rejected under 35 U.S.C. 103(a) as being unpatentable over Baba as applied to claim1 and 39 above, and further in view of U.S. Patent Pub. No. 2004/00034448 to Siegers (Siegers). Siegers is concerned with using wireless enables computes as service tools.

Regarding **claim 42, The graphical user interface according to claim 39, wherein the operational data values displayed are arranged to be displayed upon activation of a part of the graphical representation of the relevant production cell or part thereof using a computer mouse, joystick, touch screen or similar computer display selection means.** (Baba only describes the input devices of the computers implying that they are keyboards for formulating commands to the robot or image system. Siegers, in paragraph 22, equates embodiments such as touch screen, mice and voice recognition systems with keyboard input. It would have been obvious to one of ordinary skill in the art at the time of the invention to substitute equivalent input devices to control a display.)

Regarding independent **claim 43, A wireless controller for controlling and/or monitoring a device arranged relative an industrial robot, comprising wireless communication means including a processor arranged with communication function software means for handling a wireless protocol stack for communication to and from said device, and** (Baba does not discuss the specifics of the communications software managing the data transfer between control and robot. However, Siegers illustrates in paragraph 23 and 36 that software functionality is a simple matter of handling the protocols. )

**control means for carrying out at least one control function for one or more actuators of said device.** (Figs. 3 and 11 illustrate the control means that controls the function of the actuators.)

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure are listed on the accompanying PTO 892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LIN B. OLSEN whose telephone number is (571)272-9754. The examiner can normally be reached on Mon - Fri, 8:30 -5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas G. Black can be reached on 571-272-6956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Lin B Olsen/  
Examiner, Art Unit 3661

/Thomas G. Black/

Supervisory Patent Examiner, Art Unit 3661